THE WATER CURE For The Tribune. BY GEO. W. BUNGAY

Dedicated to Dr. Frank, of Warsaw, Wyoming Co. N. Y.

BETHESDA's waters move to day; The steps are wet with falling spray— Wait not for one another; If fever smites thee in its wrath, Seek refuge in the cooling bath-Come on, my halting brother

Unbind the napkin from thy head-Rise up, rise up, and take thy bed, For light will be the barden: Plunge in the pool, and wash away Disease, as Naaman did the day He dipped himself in Jordan.

Then life shall be a Sabbath day, And dark forebodings flee away, And bijss shall know no sorrow; The deaf shall hear, the dumb shall sing, And Hope descend on rainbow wing And crown each bright to-morrow.

The blind their sightless eyes unseal, The bind their sights the waters heal,
Reform relights her torches,
And leads the waiting multitude
Along the straight and narrow road
That leads up to the porches.

The old man is again a boy.

The halt and lame leap up for joy—
Rejoice, ye sons and daughters!
Ye lepers now forget your pain—
The white-winged angel comes again To move the healing waters.

Jetty Treffz. Jetty Treffz-or rather Henriette de Thfor Treffz is only the name of her mother's family and the nom de guerre assumed in her artistic career, which has now, indeed, become celebrated—was born at Vicans, on the 28th of June, 1836. Her father, a Polish gentleman, was an officer in the Austrian service. Her mother was daughter of that beautiful Laura Schwan de Manhiem, who was loved and sung by the greatest poet of Ger-many, Frederick Schiller, but who, undazzled by the poet's fame, and unflattered by his muse, pre-ferred the less brilliant attractions of the Professor Treffz, and espoused him. Jetty's mother was possessed of a considerable fortune, and was depossessed of a considerable fortune, and was de-termined to have her daughter educated in the most perfect manner. Unfortunately, the greater part of her fortune was embezzled by a nefarious tutor, to whose keeping it was entrusted when Jetty was only thirteen years of age. Neverthe-less, it was most probably to this circumstance, so much to be deplored at the time, we are in-debted for affording us an opportunity of admiring a talent of too rare an occurrence to suffer it to be buried in the dilettantism of private life. The Prince Guizeppe Poniatowaky, an enthusiast in Prince Guizeppe Poniatowsky, an enthusiast in the cause of music and a composer of no mean uirement, who had long been on intimate terms with Jetty's father, was the first who discovered the great talent of the young girl. Jetty had re-ceived from nature a mezzo soprano voice of remarkable beauty and flexibility, powerful, sonorous and of unusual extent. From her earliest days, passionately fond of music, she joined brilliant imagination an esprit facile and penetrating, and a memory singularly retentive.

Added to these, Jetty possessed a face and figure Added to these, Jetty possessed a face and figure the most prepossessing, and promising those graces and attractions which are now her acknowledged rights. Such was Jetty Treffz when Prince Poniatowsky first discovered her latent talent and counselled her parents not to allow it to go uncultivated. Signor Gentilhuomo, an Italian professor of singing, was Jetty's first master. After fifteen days of study, Mercelli, the director of the Italian Opera at Vienna, wishing to have in his possession a young girl whose fudirector of the Italian Opera at Vienna, wishing to have in his possession a young girl whose fu-ture he could not but foresee, engaged her. Jetty immediately applied herself to her studies with enthusiastic zeal. Among her instructors at this time, we would particularly mention Monsieur Charles Köent, a professional musical critic, and a singer of taste and talent. Much to Jetty's chagrin and disappointment, since she burned to distinguish herself on the stage, Mercelli detained ther a whole year without giving her a single part to play. She threw up her engagement in consequence, and departed for Dresden, where, in her words her debut in the character of "Juliet," in the "Montecchie Capuletti." The celebrated Schroder Devrient was the "Romio." Jetty's success was triumphant. The Queen of Saxony, charmed with the grace and talent of the young debutante, commanded her intendant, the Baron de Luttichaw, to present Jetty to her, in her box, the same evening. But her Majesty of Saxony did not stop here. At her own expense, and under her immediate inspection, Jetty received lessons from the famous singing, master. ceived lessons from the famous singing master Morlachi, and from Schroder Devrient, the best model of which she could have found in all Germany for the minic att. There were, however, several little intrigues on the part of this great artist, which determined her pupil, who now commenced to become her rival, to quit Dresden, after a twelvemonth's sojourn, during which she many for the mimic art. There were, however had been constantly distinguished by the Queen, with the greatest fervor. From Dresdon she went to Leipsic, where she had the good fortune to meet Mendelssohn, who took the liveliest interest in her from the first moment he saw her.—He made her study his own songs with him, and and applauded by the public. subsequently, when she was engaged at those brilliant entertainments given in Leipsic, under the name of the Gewandhaus concerts, he com-posed expressly for the last of these concerts, the beautiful and popular chansonelle," Es ist bestims in Gottes Rath," which Jetty sang for the first time, with the most deafening demonstrations of favor from some thousands of listeners. There is little doubt but that it is Mendelssohn to Jetty is mainly indebted for that delicate appreciation, that profound sentiment, that touching expression, and that fascination of style, which remarkably distinguishes her as a singer. Jetty in herself had the talent and the will lelssohn could have found no difficulty in cultivating a soil so fertile and so yielding. On her return from Leipsic to Vienna, Jetty was engaged at the Harnthnerthor theater. Two years after, when Pokorny organised an operatic company which was superior to any other in Germany, she sang at the theater Ander Wien with Standigh and Pischek, and Mesdames Marra and Jenny Lind. A congé of some weeks was employed it reaping a golden harvest and adding to her laurely in Dresden, Leipsic, Berlin, Frankfort, and Pres-burg. At the latter town she performed a round of characters, in Mozart's operas, with immense success. Her musical knowledge and correct reading, combined with a veneration for the works reading, combined with a veneration of the works
of the great Mozart, rendered her performances
so interesting, that the public were fascinated by
the superior talents of the young artist. Some
time afterward, Jetty Trefix achieved new tri-

don, where she made her don't at the concerts of the Philharmonic Society—with what success need not here be told. Immediately afterward Jetty was invited by Queen Victoria to sing at the concerts at Buckingbam Palace. What followed, is well known. Musical World. FROM TEXAS .- From late Texas papers we ga-

amphs at Vienna, in Balfe's opera, the "Four Sons of Aymon," and the "Bohemian Girl." She

sang nearly two hundred times in the first opera, and more than one hundred in the latter. The

Revolution of 1848 interrupted Jetty's brilliant

and rapid career. Art in general, and the dra-

matic art in particular, had nearly received their death blow on the continent. Jetty then recalled

at Leipsic, as a concert singer, and went to London, where she made her debut at the concerts of

mind the brilliant successes she had obtained

ther the following items of news: A party of Indians recently visited the neighborhood of Goliad and were pursued by Captain McCulloch's Rangers, when a fight ensued, in which the Indian's horses were all taken, together with their trappings. Seven Indians escaped and probably two or three were killed or wound-ed, so that the whole number was about ten. The horses stolen by the ladians were restored to the owners. Lieut King, of the Rangers, was

The German brig Joan Frederick, from Germany, with immigrants, arrived at Matagorda Bay on the 29th ult.

CAPITAL OF FLORIDA.-Resolutions have been introduced into the Florida Legislature for the removal of the seat of Government from Tallahasase to some other point. Certain persons are designated as Control of the co place to which to remove it. In the selection of the site, they are to take into consideration its central position, healthy location, and the inter-ests of the State at large, and to report at the next session of the Legislature.

THON. CHARLES WATTS, a native of New-York, died at Biloxi, La on the 14th inst. aged 62. He had resided in Louisiana for thirty years, and held various stations of public trust.

The Completion of the Code No. III.

From the Evening Post
Having already given two of the reasons for believing it to be the interest of the State, that the
code should be now completed. code should be now completed, I proceed to give the Third; and that is, that the enactment of the residue is important to the complete success of that which has been already enacted. To ensure to this the accomplishment of all its legitimate results, the remainder should be placed beside it in the statute book. Many parts were necessarily left before unfinished; these need to be supplied; other provisions are necessary, to carry out some of the present; and so much of the old law, remaining unrepealed, as is not in harmony with the new, should be replaced by other and har-

monious provisions.

Upon this point, however, I desire not to be misunderstood. While I insist upon the desirableness and importance of the additional portions, I insist also, that the success of the existing portion has been already as great as its friends could have reasonably expected. When it is considered that the new machinery has been subjected to a trial which hardly any thing can stand: that it was put into the hands of workmen, nine-tenths of whom disliked it, condemned it, and prediced its failure, and that it has nevertheless worked successfully, in spite of these workmen, the result must be regarded as the highest practical testimony in its

Indeed, as it now stands, if not another section were to be added, it would every year work out more and more beneficial results. It is silently operating to clear the legal profession of its use-less and its unworthy members, and to raise the standard of legal education; it has forever elimi-nated from legal disputes all those perplexing, ever-recurring, and useless questions, respecting the division into which the controversy fell, whether legal or equitable, the form of the reme-dy, and the technical precision of the pleadings; in short, it has simplified, expedited, and cheap-ened law suits.

But it is not within the scope of these articles to enter into a discussion of that portion of the code which is now in force. If it were, I should be glad of the opportunity to do so; and though I have never heard or read an argument against it which deserved a serious refutation, I should like to enumerate in detail the benefits which have already flowed from it. It may not, however, be out of place, in reference to the general subject, to refer to the following letters from Judges of the Supreme and Superior Courts, which having been written to be used in answer to inquiries from abroad. I am also at liberty to use here, and

been written to be used in shower to inquiries from abroad, I am also at liberty to use here, and which I give in full—in the order in which they were received—omitting only the names of the parties to the suits mentioned in the second letter.

How. David Dudley Field—My Dran Six: I take pressure in snawering your favor of the 6th inst asking my opinion on the subject of certain inquiries made by Mr. Loughborough of Kennucky.

I regard the outling of law and equity jurisdictions in the same tribunal, as one of the most desirable of modern reforms. There were great difficulties to encounter. There was a deeply rooted prejudice against breaking up two distinct and complicated systems of practice, with which all had become familiar; and it was exceedingly difficult to frame one system of practice applicable to both remedies. The principal obstacle was one of practice—not of principle; for every one was ready to concede, that it seemed palpably absurd, that a Court which was authorized to pronounce the law, should not have the power to administrative between the parties. I think every day that passes will increase our surprise, that a separation of law and equity was ever tolerated.

It will take some time to reconcile all our lawyers to the change. Much is to be unlearned, and the system of practice to be learned must be perfected. This it will take years to accomplish. The necessary machinery, though in most respects exceedingly weil put together, cannot be made complete without the aid of experience in perfecting its details. But of the ultimate and entire success of the change I entertain no doubt.

Our present plan of taking testimony in open court at the circuits, has many advantages over the late practice of taking proofs in chancery. I other try at the Circuit, in a few boins, an equity cause that would have occupied several two parts are before the Court, it is easy to ascertain the real point is controversy, and to direct all the evidence to it. Having taken the evidence, and befur, of course, familiar wi

Course, faminar with it, much test many argument of counsel.

Very few such causes are tried by a jury. The counsel generally waive a jury, the judge has only to sift out the real question of fact, and submit it in the form of a question to the jury. He then declares what remedies the parties shall have, or the facts admitted or found.

I am, very truly, yours, &c. &c. AMASA J. PARKER.

New-York, 10th May, 1250.

David Dudley Field, Enq.—Deak Sir.: I cheerfully comply with your request. "to give you the result of my observation on the practical operation of our blended system to law and equity, that you may communicate it to Mr. Lough borough." of Kentucky.

In the extraorder and the communication of the commun

borough," of Kentucky.

In the extensive practice which has come under my notice since the amaigamation, I have as yet seen no evits arising from it, nor any inconveniences which would not have occurred under the former system. In short, I have no hesitation in saying that the change has worked well. In the outset, efforts were made to obtain equitable remedies in cases to which they were not applicable. The minds of some members of the bar seemed to be entirely affort, and I was applied to for an injunction, by way of attaching property, in a suit simply for goods soil; but this confusion appears to have been dispelled.

ed, denying that it was as security, and avering it was leased to B. for H's benefit, ac. M. set up a bona fide purchase witsout notice.

At the trial, I drew up and submitted, in writing, to the Jury, siv questions, viz: As to H's being the real lessee in the cutset; as to the assignment being absolute, or to secure H; as to M's purchase being for value; and next without notice, as to an alleged offer by W. to substitute other security to the lessor; and as to W's damages, if M. were entitled to retain the lease. The Jury returned with consistent and satisfactory answers, negativing H's defense, asstaining M's, and estimating the damages at \$500; upon which I gave judgment for M. against the plaintiff for costs, and for plaintiff against H. for \$500, and cost.

In this case, under the old mode, several days would have been spent in the Examiner's office, taking testim my in writing, at an expense equal to half the costs of the suit; and the hearing would have occupied quite as long as the trial did before me, which was less than a day.

You will recollect our friendly arguments on the blending of law and equity procedure, and toat in those as well as in print, I opposed the abolition of the Court of Chancery, My plan was to tagraff on our chancery system trial by jury when required by either of the party, and the oial examination of witnesses in all cases, whether before a jury or a chancellot. I sim not prepared to asy, that in a state where there are separate courts of law and equity administered by sprayate judges I would recommand a biending of the two. The selvantage of a division of puders in the state where there are separate courts of law and equity administered by staylated I displayed and in our oil system, there were harder to the great advantages of the chancery organization.

I would hesitate with reference to the subject of littigation, founded on established and intelligible modes of procedure, are not to be alighted; and in our oil system, there were not the great set advantages of the chancery

institute extensive reforms, but I doubt whether

I would institute extensive reforms, but I doubt whe her I would sholls the court. This doubt in my mind may be an undue being the effect of my long and intimate association with the business of the late Court of Chancery.

Where there are distinct systems of law and equity, administered by the some Judge, I have no hesitation on the subject. Unless each could be administered by a distinct judge, I would amadgamate the forms of procedure at once. Our experience while our Circuit Judges were Vice Chancellors, was abundant to show that there should be either an excited judges, or a single and uniform system. With great respect, I remain, Very truly yours,

LEWIS H SANFORD.

ALBANY, Sept 29, 1850.

David Dudley Field, Exc.—Dear Sin. When I met you a few weeks since, you reminded me of my omission to

Parid Dudge Free, Exp.—Drag Sir. When I have you a few weeks since, you reminded me of my omission to answer your letter, asking my opinion in relation to the practical working of our Gode of Practice. When I saw you, I was about leaving town; and when I returned. I found myself obliged to devote myself industriously to the preparation of my cases for the approaching term of the Court of Appeals. I tow embrace the first leisure to reply to your estermed letter.

Court of Appeals. I row embrace the first leisure to reply to your esteemed letter.

The leading principles upon which the reform embodied in the code is founded, are such as no Government, when once adopted, will ever relinquish. There is, at this day at least, no reason why the distinction between the equity and common law proceedings should be preserved. Not is there any more reason for preserving the different forms of actions at law. The provisions of the Gods, in this respect, eboulable, the distinction between law and equity, and the different forms of actions at common law, are, with perhaps here and there a single, if not a singular exception, approved and commended by our entire judiciary and bar. The abolition of chancery proceedings under the operation of the Constitution and Code together, have been the means, in my judgment, of saving our present judiciary system from the evils which wrought the destruction of the former. My own deliberate conviction is, that had the old chancery system from the evils which wrought the destruction of the former. My own deliberate conviction is, that had the old chancery system from the evils which wrought the destruction of the former. My own deliberate conviction is, that had the old chancer as the continued, our Coorts, by this time, would have been fretrievably seamped with the accumulation of business.

There are, however, some serious evils connected with this great and radical change in the practice. These, however, are less chargeable to the account of the system itself than the judiciary and the bar. Old forms of pleading having been dispensed with many seem to understand that there is no longer any such thing of pleading. Hence it is that our Courts are often perplexed and embarrassed with very crude specimens of pleading abounding with profix statements of evidence, requiring often much time and pattence to glean from the mass the true points of the case. I have occasionally met this difficulty at the Gircuit. This, however, is not so much the fault of the system, as of the profession.

I have occasionally met this difficulty at the Circuit. This, however, is not so much the fault of the system, as of the profession.

But there is another evil which lies still deeper. It is that we have not, and are not likely soon to have, any thing like a uniform practical construction of the provisions of the code. Each Judge levels at liferty to decide any question arising under the code for himself. He regards the opinion of another Judge as entitled to respect, perhaps, but not as authority. One Judge, endeavoring to follow the apirit, which brought the code into existence, will interpret its provisions with a view to render it practicable and useful. Another, less favorable to change, will conform his decisions to the former practice, and thus, too, perhaps, with no very friendly regard for the success of the system.

Some deects in the details have been developed by its practical operation, which may be easily cured; but the chief difficulties are, in my judgment, those to which I have referred. I see no other way but to leave these exist to be cured by time and experience. The system being so entirely new, we have as yet no standard by which we can infallibly determine, whether the construction which our Judge chooses to give any particular provision, or that of another shall prevail. I see no other way but to let time and judicial wisdom, as it did not be common in a practice, ever out this standard.

The evil, too, resulting from an excessive laxity in pleading, is within the power of the courts to correct. It will be a work of much labor to chiracte the bor to this new aystem of presenting their facts. But even as it is now, it is far preferable to the former practice. Here, if a party is unable to have his case presented to the court upon its merits, unfettered by technicalities, it is wholly owing to the negligence or unskillidiness of his lawyer. It is an admirable feature of the system that it possesses that floxibility which will enable counse, with the exercise of a reasonable amount of skill

the bacard of passing off, as so many cases did, under the old system, without ever approaching the real merits of the controversy.

Thave thus, my dear sir, frankly and cursorily, expressed to you my own views of the practical working of the cale. Its adoption was a great step in improvement as well as progress. The great and leading features of the system can never be abandoned. In its details it is yet defective, Some of these defects will be carred by legislation—others by experience. Although I have sometimes feit discouraged, for reasons at which I have already hinted, it is still my purpose, while I am bonored with the station I now occupy, to give my best efforts to carrying out and perioding a system, resting, as I am personaled this does, upon the only sound basis of legal practice.

IRA HARRIS.

D. Field, Esq.—Dear Sir: You have requested my opinion respecting the practical operations of our Code of Procedure, and particularly that part of it which abodishes the distinction between actions at law and suits in equity. I also ald have compiled with your request entiler, but my time has been so much engrossed of late, as to prevent my doing so, and even row! I must be very brief.

The opportunities I have had to ludge of the new mode of proceeding, and of the practice under the Code, have been sufficient to satisfy use of the great advantage we have gained over the old system of practice. The common law distinction of actions being abodished, and, as a necessary consequence, all forms of pleading as heretofare used, and the informal pleadings described in the Code, and only to the extent therein allowed, being substituted to it. In the trake of causes I have found no difficulty in readily. In the trake of causes I have found no difficulty in readily. In the trake of causes I have found no difficulty in readily.

be acknowledged in proportion as the profession become familiarized to it.

In the trials of causes I have found no difficulty in readily understanding, from the pleadings as now generally framed, what are the disputed points or issues to which testimony is to be adduced, or the evidence applied; and those who are called to the work of "distributive justice," are now spared the necessity, which was many times a disagreeable task, of non-suiting a plaintiff, or overruling a defense, merely because of a mistake in the form of action or of a plea, or of a variance between the pleadings and the proof, a result oftentines of the most because character producing expense and delay, if not entirely defeating the ends of justice.

I am likewise in favor of the Code wherein it has abol-

Ing up such a distinction as the equity side and the law side of the same Court in respect to its proceedings. The act passed May 12, 1847, for the purpose of carrying into effect the provisions of the Constitution in relation to the Juddict, and it is the constitution in the provisions of the Constitution in relation to the Juddict, and the upon to frame two sets of rules, one for the practice in equity suits, and the other in actions at law. At that time I ventured to express a hope that the necessity for such a distinction might soon be removed; and I think the Code has wisely ordered a uniform course of proceeding in all actions, both for law and equity.

I am, with great respect, your obedient servant, WM. T. McGOUN.

These letters show, not only that there are judges, and these are not all, who now administer the Code in a friendly spirit, and as it becomes men appointed to administer, not to make the law, but that when all their brethren, judicial and pro-fessional, shall be affected by their spirit, there will be neither difficulty nor complaint. D. D. F.

Mr. Curtis's Lecture on Cotemporary Euro-

penn Art.
The second Lecture of the Course upon Art, was delivered on Monday evening at the Stayvesant Institute, by Mr. GEORGE W. CURTIS, up. on "Cotemporary Art in Europe.

This Lecture was distinguished for the profound and appreciative views which it presented of different schools of Art, and for its broad and genial humanitary spirit. With the rich picturesque language in which the ideas of the speaker were clothed and his chaste and graceful elocution, he succeeded in charming an audience of intelligent listeners, who testified their delight by the sincerest expressions of applause.

Mr. Curtis commenced by combating the gen eral and almost unconscious feeling that the Art of Painting had achieved its greatest triumphs, because since the Fifteenth Century there had been no artists of equal power. It was a feeling fatal to all kinds of development, but very natura in a country like ours, without a tradition or mon-uments of Art. It was natural, because the American spirit is, for the present, necessarily adverse to Art, and thence when the fashionable whim of leads the American abroad, the conventional reverence for Art loads him, returning, with

Counterfeits or bad originals.

This feeling was more fatal when it infected the artists, for it is to them as a class that the country must look for its artistic education. Yet the American artist was especially subject to this poisoning influence of great tame-because on the one hand he was never stimulated and chas-tened by the austere presence of great works, and on the other, he was too liable to be flattered

by the petty praise of ignorance.

The speaker took the American artists some what severely to task for their tendency to paint traditional themes in a conventional manner, and suggested that greater fidelity upon their part uld have so developed public taste that we would have so developed public taste that we might have reaped a richer harvest from the recent European troubles—not of course as preferring per se the works of foreign artists, but in the interests of our own education, to procure for

Our study the finest works
Having thus in general deprecated the tendency to a fatal, because superstitious reverence of the past, Mr. Curtis proceeded to show its injustice, first, from the essential relation of Art to any age : and secondly, from the character of promise

sge; and secondly, from the character of promise of Cotemporary Art.

Art, in its general highest sense, was defined as the perfection of expression, and so the highest attainment of human genius, as implying a word as beautiful as the thought is true. In its lowest phase it is the beautifying of use, and so comn ends itself to the most vulgar apprehension. The Art of any age must be therefore the expression of the thought of the sge-and there can never be a grand style of Art, until that thought is aniversal enough to express itself as it were involuntarily—thereby revealing that the power which creates Art, is quite beyond the artist's will if not his knowledge.

Hence Art is the true historian. Purely intellectual statements are individual, but Art is the unconscious expression of the face of the Time. This was illustrated by Greek Art, in which a Greek Temple sums up Greece and delivers its national meaning to the latest times, and again in the Italian religious Art of the 15th century in the Italian religious art of the last century, the only two epochs in history which the Lecturer recognized as these of a central sentiment pervading and molding civilization. Of course however, as every single idea of civilization and development is partial and incomplete in itself, when it attains that hight that it expresses itself so fully it passes its perihelion of prominence and

begins to decline.

There has been no great style of Art since the Fifteenth Century, because the Reformation was only a protest and andoing, up to the French Revn, which was the final death-throe of the old spirit. The only intermediate names are those of Rubens and Rembrandt, and the only intermediate school, the Flemish. These were phenomena of no permanent meaning. Rubens was a captivate the second of the second

no permanent meaning. Rubens was a captivating caprice of Nature to show that she had still the material and bided her time.

The Lecturer then passed in rapid review the state of Cotemporary Art in Europe. In Italy there was no life. The promise of the Time is in Germany and France. He found modern Art to have two departments, but many schools. It aims to present a thought on the one hand, and on the other the isolated incident. The German Kaul bach and the French Couture were cited as the two great illustrations of the former spirit; and

Paul Delaroche and Horace Vernet, and the German Lessing, as the exponents of the latter. Mr. Curtis gave a somewhat detailed de ription of Kaulbach's Destruction of Jerusalem, and did not hesitate to call that artist the greatest since the great of the Italian prime. The English Turner was also mentioned as an illustran n of the same spirit of fidelity to Nature, which is the beginning of Art; the modern Parisian Land-scapists belong to the same category. What is the next thought of Art? The begin-

nings might be perceived, but who should cast the horoscope of the world? If Art ha been for three centuries dormant, and is now arousing, it is not to return, for we can never worship the sun again—it must be to press forward. To speak exactly, the new work of Art must be a further derelopment of the Christian sentiment. For if the doctrine of the discourse was true, and that semment is one day to rule the world, it must needs found an Art as glorious. The essential spirit of Christianity has never yet permeated the world. Italian Art represented the culmination of a pecu-liar and partial view of that spirit. Have the Lion and the Lamb yet lain down together? Possibly it shall be the next work of Art to paint that

In conclusion Mr. Curtis remarked that the view of Art thus taken, was the intellectual, the scientific view, but that the true and highest success of any artistic work was the satisfaction of the sense of beauty. This is independent of any in-tellectual relations. If we could discover that the statues of the Venus and of the Apollo were of another age and of another meaning than we sup pose, it could not affect their influence as works Art. So Raphael and the artists did not paint to illustrate a principle but to satisfy a love and instinct of beauty in themselves. But this pure v aesthetic impression could not of course be mat-

ter of intellectual analysis.

The lecturer said that we paint no pictures. we sing no songs—we build no temples, and the time that it takes to make a poem of a railway must be the time of our probation for a great and enduring Art. Yet when some central thought is enduring Art. Yet when some centra thought is evolved, around which our life can be grouped and by which it can be explained, the particles now too widely acattered for chrystallization will fly into perfect form, and that chrystallization will be our Art, as a Greek Temple is Greece forever.

He exhorted no thoughtful man to be saddened that he lived too late and too early; that he did

not see the noon of yesterday, and can scarcely behold the dawn of to morrow. Let him remember that had he lived in that splendid society of genius, whose fame flashes all over the Past, would not have suspected its secret, as we can never see the heavy of the ship in which we sail. He is the master of three more marvellous centu ries than those men, and had he lived then would not have stood as now we stand, upon the pure Pisgah hights, overlooking the harvests of Hope that go, wide waving out of sight—goldening all

SCIENCE.

Late Scientific Intelligence No. XVI. |Carefully Prepared for The Tribune.

RESEARCHES ON LIGHT. M. Arago recently read before the Paris Acade

my of Sciences a paper relative to his further re-searches on Light. We append an abstract of the results attained. Up to the present time no means have been furnished of measuring the quantities of polarized light contained in a ray reflected by a surface which does not completepile ofglass plates, placed so as to incline suitably on the track of a reflected ray, so as to obtain neutral light, has found that at an equal number neutral light, the proportion of polarized light mum polarization, the proportion of polarized light contained in a ray was the same, a fact which has enabled him to determine the angle of the maximum polarization of certain metals,—such, for instance, as steel and mercury,—and thence to de-duce, by the well-known law of Brewster, the in-dex of the refraction of these substances, which he found to be 2 for steel, and 4 for mercury. This method does not give the quantity of polarized light, but the relative proportion between that quantity and the total light. To modify the process, so as to render it suitable for that purp it is essential to commence by the graduatio the pile of glass plates, in order to ascertain for a given incidence what was the quantity of polarizeiven incidence what was the quantity of polarized light which the glass plates neutralized. By causing a completely polarized ray to fall on a plate of rock-crystal, perpendicular to its axis, in such a manner that the principal section of the crystal coincides with the primitive plane of polarization, we have, on turning the plate, two images, varying in intensity according to the law of the square of the cosine, but which, from the thinness of the plate, entirely superpose on each other. These two images are polarized in two perpendicular planes, and form neutral light, by their suposition, as long as the quantity of light is usl in the two; but if this quantity happens to vary in either one of the images, the other having all its light neutralized, will leave a certain resiplacized light, which the pile of glass

plates will entirely obliterate.

The green color observed in light, when it is obliged to traverse a greater thickness of glass then ten plates, has prevented MM Arago and Langier, up to the present time, from extending the limits of their table for representing the quantities of polarized light, but they hope that, by using very transparent glass, having oxide of zinc for its basis, which they are at present occupied for its basis, which they are at present occupied in preparing, that they shall be able to extend the

able considerably.

This process of polarimetry will allow of our This process of polarimetry will allow of our measuring the quantity of light reflected and refracted at great angles, which the usual phometetric method was always found, by M. Arago, incapable of effecting.

GEOLOGY AND MINERALOGY OF EMERY.
An extended, able and interesting Memoir on
Emery was presented to the French Academy of Sciences during the past Summer, which has been given to the public in the November number of Sulliman's Journal, by the author, J. Lawrence Smith, M. D. an American mineralogist. The Smith, M. D. an American mineralogist. The general use of the article of Emery in the Arts and the ordinary pursuits of life, have led us to prepare a succinct digest of Mr. Smith's interestg observations. Prior to the year 1846, Emery, although known

to exist in many places in greater or less abundance, was supplied to the arts from the island of Naxos in the Grecian Archipelago, and the pro-prictors of the mines in that island possessed en prictors of the mines in that island possessed en-tire control over the price of the mineral. The Emery from Naxos frequently went under the name of Smyrna Emery, from the fact of its com-ing to us from that port, where it was originally carried from the island for future exportation. to 1846, also, the existence of Emery was to 1846, also, the existence of Emery was not re-marked in Asia Minor or any of the contiguous islands except that of Samos—a fact alluded to in Tournefort's Travels in the Seventeenth Century. In the latter part of 1840, Mr. Smith, the author of this paper, arrived in Smyrna, and was shown pecimens which he recognized as Emery coming om a place twenty miles north of Smyrna; the en first discovered through the agency of knife grinder of the country, who had been in the habit of using it to charge his wheels. The im portance of this circumstance to the Turkish Go oment as well as to the arts (Emery being at that time sold at a most exorbitant rate; induced Mr. S. to return to Smyrna in the early part of 1847, for the purpose of examining the supposed locality of this mineral. On this second visit other localities were made known, which had been brought to light by an English merchant named

The first locality toward which Mr. Smith directed his examination was that of Gumuch dagh, a mountain about twelve miles east of the rains of Ephesus. Before, however, arriving there, he discovered the mineral imbedded in a calcareous olscovered the mineral imbedded in a calcareous rock in a vailey twenty miles south of Smyras, called Allahman Bourgs; the position being unfavorable for the study of the Geology of the substance, his route was continued to the place originally fixed upon. The mountain of Gumuch was composed of bluish marble resting on mica-state and gneiss. On the very summit, the Emery was found scattered about and projecting above the surface of the soil. Returning to Con-stantinople, Mr S made a report to the Ottoman Government; and a Commission was soon dispatened to examine thoroughly into the impor-tance of this mine. This discovery, unimportant in itself, has subsequently become of great value to secure to the enterprising American the pri-ority of the discovery and examination of Emery patched to examine thoroughly into the imp in situ in Asia Minor.

The Emery is found in different places in the

Gumuch mountain, chiefly on a part of the summit three miles from the village of Gumuch, and some 1,500 or 2,000 feet above the level of the val-The mineral lies scattered on the surface in the greatest profusion, in angular fragments of a dark color, and large masses of several tuns' weight are seen projecting above the surface; in

penetrating the soil, it is found imbedded in it, and a little further down it is met with in the rock. Sometimes the Emery forms almost a solid mass several yards in length and breadth. One of these places, opened for the purpose of exploring, is about ten or twelve yards square, and ploring, is about ten or twelve yalds all the rock taken out is Emery; the spaces be-all the rock taken out is Emery; the spaces be-tween the blocks are filled with an earth highly charged with oxide of iron. In some places the masses are consolidated by carbonate of lime of infiltration, in which it is found in nodules sometimes round and at other times fissured so as to represent angular fragments. In no place does it present anything like a vein, nor has it signs of stratification. The largest mass at this locality

stratification. The largest mass at this locality which was seen unbroken, must have weighed from thirty to forty tuns.

The second locality in importance is Kulah, a town situated about 150 miles from Gumuch, and 20 miles from the accient city of Philadelphia. Other localities are named where the mineral is found—as Adula and Manser (Asia Minor.) the Island of Samos, and the old locality in the Island of Naxos.

The investigations pursued by Mr. Smith regarding this mineral, have led him to adopt the firm conclusion that Emery has been formed and consolidated in the limestone in which it is found; and that it has not been detached from older rocks, as granite, gneiss, &c and lodged in the limestone at the period of its formation.

PRESERVATIVE INFLUENCE OF CHLOROFORM M. Augendre, assayer in the mint, at Constantinople, has written to the French Academy with a view to point out a new property of chloroform, which might be turned to valuable account under which might be turned to valuable account under certain circumstances as an antiseptic. Although ether presents many analogous relations to chlo-roform, it entirely differs from it as to this last named property, for a piece of beef or other fleab placed in a phial, in which a few drops of ether had been poured, putrefies within a few days; while the same flesh suspended in a phial, in which a few drops of chloroform had been placed, remains perfectly sweet and untainted; a 1-200th part of chloroform is sufficient to preserve ani-mal substances from putrefaction for an indefinite length of time. M. Augendre has also succeeded leigth of time. M. Augendre has also succeeded in preserving vegetables, such as bananas, &c. for

M. Augendre is of opinion that the action of the chloroform in all the cases is purely a physical one, consisting in a contraction of the fibre, or of the parinchyma, which is immediately induced. a contraction which expels the juices, and thus prevents putrefaction. The author concludes his communication by stating as a fact worthy of notice that the most powerful antiseptics we are acquainted with, such as the chlorides of sodium, zinc and mercury, and the chloride of formyle, are all chlorine compounds, and that they organized substances without yielding up their constituent principles to these substances.

ANALYSES OF NATIVE GOLD. The following analyses of different varieties of native gold were made by Prof. Level and pub-lished in the "Annals of Chemistry and Physics"

at Paris:	Gold.	Silver.	Copper.
1 Senegal, graius	91.00 92.70 94.00	15.30 11.30 3.70 6.90 5.85 1.70	0,20 0 90 0 30 0,40 Plat. 0.15

ZINC COMPOUNDS NOT INJURIOUS TO HEALTH. ZINC COMPOUNDS NOT INJURIOUS TO HEALTH.

At a late meeting of the Academy of Sciences at Paris, M. Sorel, replying to some authors who at preceding sessions of the Academy had made observations tending to show that Zinc was not innocuous, stated that for fifteen years he had employed in his establishments for the galvanization of inconserveral hundred workmen, a large number of whom were occupied with pulverizing and sifting the gray or suboxide of zinc, for galvanic painting, and in no instance had any of the workmen of the establishment, although in the midst of an atmosphere containing much of the oxide, of an atmosphere containing much of the oxide, suffered at all from it. The white oxide of Zinc had also been fabricated for some months, without any ill effects, although the men breathe consider-able quantities of the oxide.

ELECTRICITY—NEW APPLICATIONS.

A late number of the Landon Philosophical Magazine describes a new Electrical Machine, in which gutta percha, owing to its highly electrical properties, allords the means of producing in a very simple manner an amount of electricity as great as that of the common electrical machine. The machine, as improved, consists of a wooden frame some eighteen inches high, which carries two wooden rollers of equal diameter; to the axle of one of which a handle is attached by which it can be rotated. Around the rollers, and fitting them tightly, is passed a band of gutta percha about four inches in width—the rubbers are four brushes of bristles, and are placed out side the band and opposite the axis of each roller.

A double conductor connected by a brass rod passing over the top of the machine is applied, similar in form to the conductor of the plate-glass machine. When the handle of the machine is turned, causing the guits perchaband to move at a moderate velocity, an abundant supply of electricity is excited. The electricity given off appears to be of higher intensity, and undertavorable states of the ordinary plate glass machine.

FIRST IDEA OF THE ELECTRIC TELEGRAPH.
Since the success of the Magnetic Telegraph, various claimants have come forward to contest the honor of the discovery of the original idea. By a paragraph in the London Philosophical Journal, translated from a German work by Schwenter, and published in 1636, it will appear that the crude idea of the electric telegraph was entertained previous even to that date, for Schwenter himself

quotes from a previous author:

"How two people might communicate with
each other at a distance by means of a Magnetic
Needle: If Claudius were at Paris and Johannes at Rome, and one wished to carry some informa-tion to the other, each must be provided with a Magnetic Needle so strongly touched with the magnet, that it may be able to move the other, from
Rome to Paris. Now, suppose that Johannes and
Claudius have each a compass divided into an alphabet according to the number of the letters, and phaset according to the number of the tetters, and always communicated with each other at six o'clock in the evening; then, (after the needle had turned 3½ times from the sign which Claudius had given to Johannes.) if Claudius wished to say to Johannes, 'come to me,' he might make his need dle stand still, or move till it come to c, then to o then to M, and so forth. If, now, the needle of Johannes' compass moved at the same time to the same letters, he could easily write down the words of Claudius and understand his meaning.— This is a pretty invention; but I do not believe that a magnet of such power could be found in the world."

LAW COURTS.

U. S. District Court TUESDAY, Jan. 28. Before Judge Betta

Trial of Frederick Francis, seaman, indicted for

an assault, with a dangerous weapon, (a knife) on the person of another seamen, named Read, (in consequence of which the latter died) on board the frigate Brandywine, as she lay at Monte-

Video.

[Prisoner is petit and light in form. Deceased was said to have been 15 or 20 pounds heavier.]

Mr. Hall opened the case. The Act of Congress provides in case of assault with a danger. ous weapon, on board an American vessel, out o ous weapon, on board an American vessel, out of the jurisdiction of any State, punishment by fine not exceeding \$3,000, and imprisonment at hard labors not exceeding 3 years. Prisoner was an ordinary seaman. While lying about 5 miles ordinary seaman. While lying about 5 miles ordinary seaman. While lying about 5 miles from the shore at Montevedeo, prisoner had a controversy with deceased. Some say Read attuck Francis first. There had formerly been trouble between them, when Francis drew a knife, but between them, when Francis drew a knife, but Read being the stronger man, made light of the matter, and after a little difficulty it passed off.

It was at first suggested whether the prisoner
might not to be indicted for murder, and he would
probably have been so were it not that it is considered, in accordance with the decision as to Capt. McKenzie, of the U. S. brig Somers, that a man of war has jurisdiction over cases of capi-tal crime committed on board of her, and the power of punishment. It was therefore thought that the U.S. Court did not have power over the case as a capital crime. [We have heard this idea spoken of as a bad one. Under no considewhatever, where it can possibly be avoided, should the yard arm of a ship be made a gallows. Jack Tar, from his pursuits, or some other cause, is be made a gallows known to be superstitious, and where once an ex known to be superstitious, and where once an execution has taken place, that form, in imagination,
will be seen dangling from the yard, in the dark
night watches, so long as the ship exists. It rains
a ship to have an execution on board of her, and a
law should be passed by Congress, rendered ne
cessery by the decision as to the Somers, prohibiting, where it can be done, such executions I to
was, however, said Mr. Hall, known to be within
the jurisdiction of the Court, whether as to the

Naval or Merchant service, to indict for assault with a dangerous weapon, and this case, consequently, has been brought under that head. It was said in this case Francis used hard language, and Reed asked him what for, and Francis drew his knife. In less than four minutes Reed was a dead man; three wounds—one through the heart, another through the liver and another in the arm.

Henry W. Kelly, aworn—Is 18 years of age; native of the United States; was one of the crew, a landsman, on board the Brandywine in May last; shipped 21st November, 1849; she is a frigate, know the prisoner; knew a person named Edward Reed: saw the commencement of the affray; it was on Sunday evening, 19th May; I was sitting between two guns on the gun deck; when Read came up he was asked to sit down. Read jumped up and ran over to where Frankstein was standing, and said, I wish you would keep my me out of your mouth, and gave Frankstein a shove; F. called him a s—of a b—: R. struck him and knocked him against the hammocks, when Read said, you s- of a b-, I'il see your liver be-fore I die: Read clinched him and they both fell over the grindstone; they soon afterward took R away; they had had a difficulty about a week be away; they had had a difficulty about a week before, when Frankstein said Read owed him \$2, and the latter denied it, and something occurred, when Frankstein drew his knife upon him then, when R. caught hold of him, laid him across a gua and slapped him on the face; he afterward proved he had paid him; Read died about five or ten minutes after this last affray.

Cross-examined.—It was quite dark where they stood; it was on the gun deck, about 7 o'clock in the evening; I had not heard Frankstein say anything; did not see any knife in the hands of Frankstein.

James Murray, sworn.-Was an ordinary sea-James Murray, sworn.—Was an ordinary seaman on board: was going to my hammock, and saw Francis sitting on a small box; heard him say something; did not hear what it was; Read came over and asked him to keep his name out of his mouth, or he would make him; Francis called Read a d— Irish son of a b—; Read repeated for him to keep his name out of his mouth, &c.; Francis told him to fire away as soon as he liked; saw Francis put his hand behind him for his knife; Read asked him what he was going to do with the knife; he said to use it; Read told him to put away the knife; Francis said, you d— Irish son of a b—, I will see your liver before I die; Read seized hold of him by the collar, and they fell.

William Persento, sworn.-Was seaman on board ; heard some one sing out to put the knife

board; heard some one sing out to put the knife away; ran over and found Francis lying there, and caught hold of his arm; he told me to go away; then went to Read and took him up; do not know who took the knife away from Francis.

Cross examined.—Read had Francis by the collar, and Francis him by the same way; Road was beating prisoner's head against the roller; Read was a heavier man than Francis; he frequently picked upon him; he was then using him severely; knew Francis three years on board the vessel; he was usually a very quiet man.

Henry H. Reynolds sworn.—Was a seaman on board; heard Francis say he would have his heart's blood; saw Read on top of Francis, and the latter with a knife; told Francis to give up the knile, and he said he would not when Read had the advantage of him; had heard F. say to R. he would have his heart's blood; it was quite

had the advantage of him; had heard F. say to R. he would have his heart's blood; it was quite dark; did not see Francis attempt to stab; think F. had been drinking that day.

Thos. H. Howell sworn.—Was quartermaster on board the Brandywine; she was lying in the River Plate, about 5 miles from Montevideo; first saw prisoner and deceased near the main hatch ladder; they fell on top of my leg as I sat; fell heavily, and Read got beating his head against the roller; a man took Read off and the latter exclaimed, Bill take the knife; [the knife was shown—it was a very large clasp or jack-knife]; did not -it was a very large clasp or jack-knife]; did not see Francis strike with the knife; he and Read had difficulty before: Read had a pique against him; cannot say whether the wounds could have been inflicted without Francis intending to do it.

Albert Carter, sworn—Was on board; Francis

and me were sitting on main hatch ladder; he said there was only one s— of a b— on board he did not like; he said he did not like him or his countrymen; they had taken the bread out of his mouth and out of his father's mouth; Read came over and shoved Francis; then Francis took out his knife, and Read struck him; they clinched

Dr. Bache, sworn.-Was on board the Brandywine as Surgeon of the fleet; made post-mortem examination; one wound through the heart; one through the liver, and a third on the left arm, outting to the bone. The wounds were evidently all up to the hilt of the knife; the wound in the heart

was upward, that in the liver downward.

[Several questions were asked as to whether the blows could not have been accidental.]

John A. Barclay, called for defense.—Was on board, a scaman; was about six feet from them; Carter and Francis walked over toward his ham

mock, when Read asked what his name was in his mouth for; Francis told him to go away; Read gave him a push, and Francis drew a knife; Read pushed him two or three times. Finally, Read clinched him round both arms, as Francis had the the blows were inflicted involuntarily in the scaf-fle. They had been friendly together, and think Francis had no malice toward him.

On a question from District Attorney, witness said he has borrowed, recently, \$20 from Francis. The testimony here rested, and the counsel summed up. Mr. B. contending that the act was justifiable homicide.

The Court, in its charge, alluded with reprehea-

sion to the practice of carrying knives. In the present case, even allowing that Read had hold of prisoner by the collar, and was in the act of litting him up and knocking his head back on the roller, and the fatal wounds were given by prisoner then, that is no justification. Nothing can justify the taking of life but the fear of great bodily harm. The great disproportion in the as sault, and the mode taken for defense, cannot be justified. The Court commented at considerable length. The questions for the Jury are whether an assault had been committed and whether it

was justified. (The prisoner, we understand, is a native of

Denmark. He is quite a youg man, said to be named Frankstein.]

The Jury retired, and, after a short absence, re-turned a verdict of Guilty, but recommending the prisoner to the mercy of the Court.

U. S. District Court TUESDAY, Jan. 27.

Before Judge Betts.

Practice of Court.—In the case of two seamen against Mr. George Law, for small bills (about 530 in all) alleged to be due as seamen's wages, but the liability of Mr. L. denied, and as a matter of principle, bearing upon like cause, contested by Mr. L. and the amount paid into Court, Mr. S. Sherwood, counsel for Mr. Law, made an application, by affidavit, that the causes be restored to the Calendar, a default having been taken on Tuesday last when he (Mr. S.) was engaged in a cause before Judge Mitchell, and Mr. Morrill, the counsel for the seamen, had stated that he would cause before Judge antenen, had stated that he would counsel for the seamen, had stated that he not take a default. Mr M. remarked that he so stated, if the Judge would reserve the causes. Judge B. said it was a rule of the Court, adopted before the death of Judge Thompson, that no cause hald be reserved on account of the absence of should be reserved on account of the absence of counsel. When a cause is on the Calendar and gentlemen are not ready to try it, they must get some one else to try it. The Court could not get some one else to try it. The Court could not get along were there any other rule. It is only the illness of counsel, or of a member of their family, that will induce the Court to reserve a cause from

that will induce the Court to reserve a cause in not being able to try it.

Mr. S. replied that he knew such a rule, but he was not aware that the Court applied it so stringently, as they do not in other Courts. He had a cierk in attendance all Monday. The defendant, on trial, will no doubt succeed. Mr. Morrill opposed the cases being restored, and rea : affi tavits to show they have been on since 1849, and he has to show they have been on since 1849, and he has to show they have been on since 1849, and he has frequently endeavored to have them tried. Court decided that if the cases are restored it must be by paying the costs of the term, which we understand was agreed to. The costs of the term are said to be about \$100.

Court of Common Plens.

SFECIAL TERM.

Before Judge Woodens.

Before Judge Woodens.

Elizabeth Werden vs. John Werden.—Application for a writ of ne excet, restraining the defendant from leaving the City. Plaintiff alleges that she has entered an action for divorce against defendant, on the ground of intidelity; that he has treated her cruelly and turned her out of doors; that he threatens to leave the City and go out of the jurisdiction of the Court, whereby she will be left destitute and without the means of a maintenance; and that he is worth, in stock and money, about \$3,000, &c. Counter affidavits were put in denying the allegations. The Court granted the motion, and ne exeat ordered.

motion, and ne exeat ordered.

Felix A. C. Share vs. Mary Rebecca Share.—
Divorce granted, and the care and custody of the child (a little girl about 5 years old) awarded to

plaintiff, the lather.